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FAX TRANSMISSION**DATE:** January 16, 2006**PTO IDENTIFIER:** Application Number 10/731,560-Conf. #6352
Patent Number**Inventor:** Sam Y. Guo**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** RADER, FISHMAN & GRAUER PLLC
Shelly L. Hokenstad**PHONE:** (248) 594-0600**Attorney Dkt. #:** 65783-0035**PAGES (Including Cover Sheet):** 4**CONTENTS:** Response to Restriction Requirement (with Traverse) (2 pages)
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Application No. (if known): 10/731,560

Attorney Docket No.: 65783-0035

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Response to Restriction Requirement (with Traverse) (2 pages)

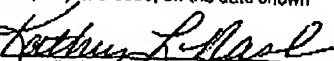
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(Kathryn L. Nash)Docket No.: 65783-0035
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Sam Y. Guo

Application No.: 10/731,560

Confirmation No.: 6352

Filed: December 9, 2003

Art Unit: 2836

For: CIRCUIT AND METHOD FOR DRIVING A
COIL-ARMATURE DEVICE

Examiner: S. A. Bauer

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed December 15, 2005 (Paper No. 20051130), Applicant hereby provisionally elects the species of Figure 1, as represented by claims 1-12 and 27-31 for continued examination, with traverse. The Examiner has required restriction between the species of Figure 1 and the species of Figure 2, which as alleged by the Examiner, are independent and distinct because the two species taught use separate and unrelated methods to meet the requirements of the generic claims. Applicant notes that the Examiner has not identified any specific claims or groups of claims for restriction/election. Applicant's election herein of claims for examination represents Applicant's good faith attempt to make the election required by the Examiner, but does not necessarily represent an acquiesce in the Restriction Requirement or in the Examiner's interpretation of the claims. Claims 13-26 are hereby withdrawn.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application. 37 CFR 1.142(a). In the present case, although Figures 1 and 2 may be directed to different species, the inventions are not independent. Here, all claims are drawn to driving a coil-armature device. In view of the significant overlap

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between the species of Figures 1 and 2, it is respectfully submitted that the Examiner will be required to search art related to both species as part of the analysis of the claims directed to the species of Figure 1.

Moreover, it is respectfully submitted that the subject matter of both species is sufficiently related that a thorough search for the subject matter of one claim group would encompass a search for the subject matter of the other group. See MPEP § 803, which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). This policy should apply in the present application to avoid unnecessary delay and expense to the Applicant and duplicative examination by the Patent Office. Accordingly, it is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1-34 be examined.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 65783-0035 from which the undersigned is authorized to draw. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to such deposit account number.

Dated:

January 16, 2006

Respectfully submitted,

By 

Glenn E. Forbis

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